

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

FRANK ORTIZ,	)	
	)	3:05-cv-00113-LRH-VPC
Plaintiff,	)	
	)	<u>MINUTE ORDER</u>
vs.	)	
	)	November 7, 2008
DAVID KELLY, et al.,	)	
	)	
Defendants.	)	
_____	)	

PRESENT: THE HONORABLE LARRY R. HICKS, UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: ROSEMARIE MILLER REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court are Plaintiff's Motion for Discipline Against Mr. Amesbury (#164<sup>1</sup>) and Plaintiff's Motion for Reconsideration of Former Attorney Amesbury's Withdrawal as Counsel for Plaintiff (#165). Defendant has responded to both motions (#166 and #167).

The essence of the issues raised in these motions was previously addressed by the Magistrate wherein Plaintiff was informed that the court has no jurisdiction for him to pursue his claims against his former attorney Amesbury and suggested to Plaintiff that he pursue any complaints with the State Bar and the Fee Dispute Resolution Committee (#55).

It appears to the court that Amesbury was properly allowed to withdraw as counsel for Plaintiff. No grounds have been shown by Plaintiff that would require the court to vacate its order authorizing the withdrawal (#44).

Plaintiff's motions (#164 and #165) are, therefore, denied for lack of jurisdiction and because the Magistrate Judge's ruling authorizing the withdrawal of attorney Amesbury was neither clearly erroneous nor contrary to law.

LANCE S. WILSON, CLERK

By: /s/  
Deputy Clerk

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<sup>1</sup>Refers to the court's docket number.